

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	PRELIMINARY ORDER OF
- v. -	:	FORFEITURE AS TO
	:	<u>SUBSTITUTE ASSETS</u>
NICHOLAS TRUGLIA,	:	
	:	19 Cr. 921 (AKH)
Defendant.	:	
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WHEREAS, on or about December 19, 2019, the Defendant was charged in a two-count Indictment, 19 Cr. 921 (AKH) (the “Indictment”), with conspiracy to commit wire fraud, in violation of Title 18, United States Code, Section 1349 (Count One); and conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h) (Count Two);

WHEREAS, on or about October 28, 2021, the Defendant pled guilty to Count One of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation as to Count One of the Indictment;

WHEREAS, on or about November 30, 2022, the Court entered a Consent Preliminary Order of Forfeiture/Money Judgment (the “Order of Forfeiture”), imposing a forfeiture money judgment against the Defendant in the amount of \$983,010.72 in United States currency (the “Money Judgment”), representing proceeds traceable to the commission of the offense charged in Count One of the Indictment that the Defendant personally obtained (D.E. 60);

WHEREAS, the entire Money Judgment entered against the Defendant remains unpaid;

WHEREAS, the Government, despite its exercise of due diligence, has been unable to locate, obtain or collect any assets traceable to the proceeds of the Defendant's offenses to satisfy the outstanding Money Judgment;

WHEREAS, the United States has located the following specific assets in which the Defendant has an ownership interest:

- a. One (1) Louis Vuitton watch roll case;
- b. One (1) IF&CO 18k white gold 50 Pointer Vincent Tennis Bracelet SI+ near Colorless 7;
- c. One (1) IF&CO 18k white gold 25 Pointer Vincent Tennis Chain SI+ near colorless 19 inches;
- d. One (1) Chrome Hearts 18k yellow gold "twist" chain;
- e. One (1) Chrome Hearts 18k yellow gold diamond cross; and
- f. One (1) Chrome Hearts 18k yellow gold diamond cross bracelet

(a. through f., collectively, the "Substitute Assets"); and

WHEREAS, the Government is seeking the forfeiture of all of the Defendant's right, title and interest in the Substitute Assets;

NOW IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. All of the Defendant's right, title and interest in the Substitute Assets is hereby forfeited to the United States of America, for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853(n).

2. Upon entry of this Preliminary Order of Forfeiture of Substitute Assets, the United States Marshals Service (or its designee) is hereby authorized to take possession of the Substitute Assets and to keep them in its secure, custody and control.

3. Upon entry of a Final Order of Forfeiture, the Substitute Assets shall be applied towards the satisfaction of the Money Judgment entered against the Defendant.

4. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States shall publish for at least thirty (30) consecutive days on the official government internet forfeiture site, www.forfeiture.gov, notice of this Preliminary Order of Forfeiture as to Substitute Assets and provide notice that any person, other than the Defendant in this case, claiming an interest in the Substitute Assets must file a petition within sixty (60) days from the first day of publication of the notice on this official government internet site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

5. The notice referenced in the preceding paragraph (*i.e.*, paragraph four) shall state that the petition filed by any person, other than the Defendant in this case, claiming an interest in the Substitute Assets (*i.e.*, “the petitioner”) shall be for a hearing to adjudicate the validity of the petitioner’s alleged interest in the Substitute Assets, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner’s right, title or interest in the Substitute Assets and any additional facts supporting the petitioner’s claim and the relief sought, pursuant to Title 21, United States Code, Section 853(n).


6. The United States may also, to the extent practicable, provide direct written notice to any person, other than the defendant, known to have an alleged interest in the Substitute Assets, as a substitute for published notice as to those persons so notified.

7. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Substitute Assets, pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

8. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture as to Substitute Assets, and to amend it as necessary, pursuant to Federal Rule of Criminal Procedure 32.2(e).

Dated: New York, New York
October 21, 2024

SO ORDERED:


HONORABLE ALVIN K. HELLERSTEIN
UNITED STATES DISTRICT JUDGE